IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.339 OF 1998
IN
NOTICE OF MOTION NO.260 OF 1998
IN
SUIT NO.130 OF 1996

UCO Bank ....Appellant
V/s.
Archna Anand Bhagwat & Ors. ....Respondents

None for the Appellant.
None for the Respondents.

CORAM : DR.S. RADHAKRISHNAN & S.J. VAZIFDAR, JJ.
DATED : 27TH MARCH, 2006.

P.C. :

1. None appears for the Appellant. In the above Appeal, the Appellant has challenged the order dated 11.12.1997 whereby the learned single Judge granted liberty to apply after the sale of hypothecation goods by the Court Receiver. It appears that in the Notice of Motion, ad-interim order has been granted by the Division Bench on 6.5.1998 whereby ad-interim order in terms of prayer clause (a) was granted by this Court which order came to be confirmed by the Division Bench in the aforesaid Notice of Motion on 3.7.1998.

2. In these circumstances, in the larger interest of justice, the Appeal stands disposed of in terms of prayer clause (a) of the Notice of Motion taken out in

the present Appeal dated 3.7.1998, which reads as under :-

> "(a) That Pending the Hearing and Final Disposal of the Appeal, the Respondents, their Agents, Servants, or any Other Person or Person/s be restrained by an Order and Injunction of this Hon'ble Court, restraining them from further parting with and/or granting any third party interest of whatsoever nature and/or Selling and/or inducing any Person/Persons at 12, Ganga Niwas, Ranade Road, Dadar (West), Mumbai 400 028 and 89-A, Tatya Gharpure Path, Mugbhat Lane, Girgaum, Mumbai- 400 004."

3. The Appellant is at liberty to move before the learned single Judge for further directions, if any.

(DR.S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)